



February 18, 2009

## HOUSE BILL No. 1619

DIGEST OF HB 1619 (Updated February 16, 2009 10:04 pm - DI 75)

**Citations Affected:** Noncode.

**Synopsis:** Emergency override system. Requires the planning and assessment division ("division") of the department of homeland security to recommend to the general assembly a system that allows certain political subdivisions to provide: (1) audio and visual emergency information; and (2) instructions to certain franchise holder's subscribers within the political subdivision's jurisdiction during a local emergency or a local disaster through an emergency override. Requires the division to consult with certain associations and groups while developing its recommendations. Requires the division to make its recommendations not later than November 1, 2009.

**Effective:** Upon passage.

**Pierce**

January 16, 2009, read first time and referred to Committee on Commerce, Energy, Technology and Utilities.  
February 17, 2009, amended, reported — Do Pass.

C  
o  
p  
y

HB 1619—LS 7369/DI 103+



February 18, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## HOUSE BILL No. 1619

A BILL FOR AN ACT concerning public safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this  
2       SECTION, "emergency override" means the interruption of video  
3       programming simultaneously on all analog or digital downstream  
4       channels with an audio and visual message created to alert the  
5       franchise holder's subscribers of an emergency or a disaster.

6       (b) As used in this SECTION, "franchise holder" refers to a  
7       holder of:

8               (1) a certificate of franchise authority issued by the Indiana  
9               utility regulatory commission under IC 8-1-34-17; or

10              (2) a local franchise (as defined in IC 8-1-34-8) that is in effect  
11              on April 29, 2009.

12       (c) Not later than November 1, 2009, the planning and  
13       assessment division of the department of homeland security shall  
14       recommend to the general assembly a system that allows units to  
15       provide:

16              (1) audio and visual emergency information; and

17              (2) instructions to the franchise holder's subscribers within  
18              the unit's jurisdiction;

HB 1619—LS 7369/DI 103+



C  
o  
p  
y

1 during a local emergency or a local disaster through an emergency  
2 override. The division shall submit its recommendations in a report  
3 to the legislative council in an electronic format under IC 5-14-6.

4 (d) The division shall consult with associations and groups  
5 representing the following while developing its recommendations  
6 under subsection (c):

7 (1) County emergency management agencies.

8 (2) Public safety access points (PSAPs).

9 (3) Franchise holders.

10 (4) Broadcasters located in Indiana.

11 (5) Counties.

12 (6) Cities and towns.

13 (e) This SECTION expires January 1, 2010.

14 SECTION 2. An emergency is declared for this act.

C  
o  
p  
y



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Energy, Technology and Utilities, to which was referred House Bill 1619, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning public safety.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **As used in this SECTION, "emergency override" means the interruption of video programming simultaneously on all analog or digital downstream channels with an audio and visual message created to alert the franchise holder's subscribers of an emergency or a disaster.**

**(b) As used in this SECTION, "franchise holder" refers to a holder of:**

- (1) a certificate of franchise authority issued by the Indiana utility regulatory commission under IC 8-1-34-17; or**
- (2) a local franchise (as defined in IC 8-1-34-8) that is in effect on April 29, 2009.**

**(c) Not later than November 1, 2009, the planning and assessment division of the department of homeland security shall recommend to the general assembly a system that allows units to provide:**

- (1) audio and visual emergency information; and**
- (2) instructions to the franchise holder's subscribers within the unit's jurisdiction;**

**during a local emergency or a local disaster through an emergency override. The division shall submit its recommendations in a report to the legislative council in an electronic format under IC 5-14-6.**

**(d) The division shall consult with associations and groups representing the following while developing its recommendations under subsection (c):**

- (1) County emergency management agencies.**
- (2) Public safety access points (PSAPs).**
- (3) Franchise holders.**
- (4) Broadcasters located in Indiana.**
- (5) Counties.**
- (6) Cities and towns.**

**(e) This SECTION expires January 1, 2010."**

Delete page 2.

C  
o  
p  
y



Page 3, delete lines 1 through 22.  
Renumber all SECTIONS consecutively.  
and when so amended that said bill do pass.  
(Reference is to HB 1619 as introduced.)

MOSES, Chair

Committee Vote: yeas 11, nays 0.

**C  
o  
p  
y**

